

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant :	Kenneth E. Feuerman	Art Unit :	2176
Serial No. :	10/700,829	Examiner :	Quoc A. Tran
Filed :	November 3, 2003	Conf. No. :	6257
Title :	SELF-DESCRIBING FORMS		

Mail Stop Appeal Brief - Patents

Commissioner for Patents

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REPLY BRIEF

Pursuant to 37 C.F.R. § 41.41, Applicant responds to the Examiner's Answer as follows.

Examiner's Answer at p. 21, para. 3, to p. 22, para. 1.

The Examiner asserts that the appellant's arguments that the audio-based form recited in claim 1 can be completed by someone who is visually impaired or otherwise cannot read the language in which the form is prepared, or that the form can be transmitted over a medium that does not include a means for visual display, e.g., over the telephone is merely the appellant's "overly narrow interpretation of the claim limitations" and "is not positively recited in the claim language". The appellant points out that the claim includes several limitations to define clearly what is meant by the audio-based form recited in the claim. The claim recites that:

- the audio-based form is represented electronically as a digital audio file (emphasis added);
- the audio-based form comprises audio signals recording a voice speaking a name of a data field followed by a pause during which a user can speak the user data expected to be provided for the data field (emphasis added)
- zoning and structural information is encoded into one or more audio signals; and
- the one or more audio signals are incorporated into the audio-based form (i.e., into the digital audio file).

The appellant respectfully submits that it is clear from the language in the claim itself that the form can be completed by someone who cannot read the language in which the form is prepared because the form itself is audio-based. The user can listen to the recorded voice

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speaking the name of a data field and then speak the user data expected to be provided for the data field during a subsequent pause in the recording. The claim does not require the user to read nor to write; the user listens and speaks. By contrast, the form in Coifman contemplates using computers (see Fig. 1) to complete a computerized electronic form (i.e., a visually observable form, such as shown in Fig. 3). Reintjes also does not disclose an audio-based form as is recited in claim 1 and the other pending claims. Reintjes discloses a “pen-based system that automatically identifies either single page or multi-page forms when data is a [*sic*] written on paper copies of the form” (Abstract). Neither reference discloses an audio-based form, and in particular, neither reference discloses an audio-based form that “comprises audio signals recording a voice speaking a name of a data field followed by a pause during which a user can speak the user data expected to be provided for the data field”, as required by claim 1.

Examiner's Answer at p. 23, para. 2, p. 26, para. 1 and p.27, para. 1.

The appellant objects to the Examiner's statements at the above locations in the Examiner's Answer wherein he asserts that his interpretation is supported by the appellant's disclosure and cites sections from the appellant's disclosure relating to an embodiment that is not being claimed, i.e., a paper-based form implementation. The appellant's disclosure describes an embodiment where the form is presented in a visual medium, e.g., paper (see p. 3, lines 16-17). However, this is not the embodiment of the pending claims. By contrast, the pending claims are all directed to an audio-based form, which is also disclosed and discussed in the applicant's specification (see, for example, p. 11, lines 2-20).

In particular, the appellant objects to the Examiner quoting from the appellant's disclosure that “the encoded zoning and structural information is incorporated in a visual representation of the form. The data entered on the form by a user can be extracted from the representation based on the encoded zoning and structural information” (see Examiner's Answer, p. 27, lines 16-18). The quoted portion of the disclosure is not relevant to the pending claims and relates to a paper-based form, a different embodiment that is not the subject matter of the pending claims.

The appellant submits that these passages from the appellant's disclosure that describe the paper medium embodiment are not pertinent and that the Examiner's referring to them is confusing and inappropriate.

Examiner's Answer at p. 25, para. 5.

The Examiner asserts that "In view of Reintjes et al. disclose a method for defining the temporal location rules and selection of the temporal location as well as their dimensions". The appellant has difficulty understanding this sentence, but, in any event, the pending claims require "zoning information identifying a temporal location and temporal dimensions of the one or more data fields of the audio-based form". Reintjes does not disclose an audio-based form (but by contrast discloses a pen-based form), and therefore it makes no sense that Reintjes would have temporal locations and dimensions associated with data fields and in fact Reintjes does not disclose "identifying a temporal location and temporal dimension of one or more data fields of the audio-based form." The only mention of the word "temporal" in the Reintjes patent publication is at paragraphs [0036] and [0037], wherein Reintjes describes a "temporal selection rule". The temporal selection rule states: "After finding a good field/block match and if the next temporal block of data is lower on the page or to the right of the previous matched block, begin by considering the next field on the same page of the same form as the field just matched. Begin alignment determination by considering zero rotation and zero x, y offset relative to the alignment for the previous field." The word "temporal" is used in Reintjes only to describe that a next block of data entered was entered next in time, i.e., was the next data entry time-wise.

By contrast, the pending claims require zoning information that identifies a "temporal location" of a data field, i.e., that identifies where temporally within the digital audio file comprising the audio-based form the data field is located. Further, the zoning information includes "temporal dimensions" of the data fields. That is, the zoning information identifies how long, temporally, the data field endures within the digital audio file comprising the audio-based form. Reintjes discloses neither identifying a temporal location of a data field within the digital audio file nor identifying temporal dimensions of the data field within the digital audio file. The applicant respectfully submits that Reintjes uses the phrase "temporal selection rule" in a manner

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entirely irrelevant to the use of the phrases "temporal location" and "temporal dimensions" in the pending claims.

For these reasons, and the reasons stated in the Appeal Brief, Applicant submits that the final rejection should be reversed.

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Respectfully submitted,

Date: July 18, 2008 _____

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